

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5

RECEIVED  
NOV - 6 2008

In the Matter of: ) Docket No. EPCRA-05-2009-0004  
)  
)  
LAD Technology, Inc. ) Proceeding to Assess a CWA Permit  
Mayfield Village, Ohio ) Under Section 325(c) of the Emergency  
) Planning and Community Right-to-Know  
Respondent. ) Act of 1986, 42 U.S.C. § 11045(c)  
)  
\_\_\_\_\_ )

REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY

**MOTION TO WITHDRAW COMPLAINT WITHOUT PREJUDICE**

Pursuant to Section 22.14(d) of the “Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and Revocation/Termination or Suspension of Permits” (Consolidated Rules), 40 C.F.R. § 22.14(d), Complainant, by its undersigned attorney, is filing this Motion to Withdraw Complaint Without Prejudice. Section 22.14(d) of the Consolidated Rules, 40 C.F.R. § 22.14(d), provides that “the complainant may withdraw the complaint, or any part thereof, without prejudice one time before the answer has been filed.” EPA filed its Complaint against LAD Technology, Inc., on October 29, 2008. Respondent has not filed an Answer. Therefore, Complainant moves to withdraw the Complaint filed in the above-captioned matter without prejudice.

If the Presiding Officer has any questions, the undersigned counsel of record may be reached at (312) 886-2248.

Respectfully Submitted,

Date: 11-6-08

Ann L. Coyle by CF  
Ann L. Coyle  
Associate Regional Counsel  
U.S. EPA Region 5  
77 West Jackson Blvd. (C-14J)  
Chicago, Illinois 60604  
(312) 886-2248

**CERTIFICATE OF SERVICE**

I certify that on November 6, 2008, I hand-delivered the original and one copy of

Complainant's Motion to Withdraw Complaint Without Prejudice to:

Regional Hearing Clerk  
U.S. EPA Region 5  
77 West Jackson Boulevard (E-13J)  
Chicago, Illinois 60604

**RECEIVED**  
NOV - 6 2008

**REGIONAL HEARING CLERK  
U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

I further certify that on that date, I arranged for a file-stamped copy of Complainant's Motion to Withdraw Complaint Without Prejudice to be sent via certified mail, return receipt requested, to the Respondent by placement of it in the custody of the United States Postal Service, addressed to:

Ms. Donna Domanovics  
LAD Technology, Inc.  
730 Beta Drive, Unit B  
Mayfield Village, Ohio 44143

I further certify that I hand-delivered a file-stamped copy of the same to:

Marcy Toney  
Regional Judicial Officer  
U.S. EPA Region 5 (C-14J)  
77 West Jackson Boulevard  
Chicago, Illinois 60604

Dated: November 6, 2008

  
Cynthia Dixon, Secretary